

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

COMMONWEALTH OF
MASSACHUSETTS

Plaintiff,

v.

MIGUEL CARDONA, in his official
capacity as Secretary of the United States
Department of Education, and THE UNITED
STATES DEPARTMENT OF EDUCATION,
Defendants.

Civil Action No. 19-12177-LTS

JOINT STATUS REPORT

The parties to this lawsuit are filing this status report to inform the Court that:

1. On July 10, 2020, the Parties in the above-captioned case filed a Joint Status Report, ECF Dkt. No. 39, agreeing that the Court's judgment in *Vara et al v. DeVos* ("Vara"), Civil Case No. 19-cv-12175-LTS, resolved the claims raised by the Commonwealth in the present action. On August 24, 2020, the Department of Education (Education) filed a notice of appeal in Vara.
2. On September 1, 2020, the Court entered an Order staying this litigation pending dismissal or resolution of the Vara appeal. ECF Dkt. No. 42.
3. On July 21, 2021, the United States Court of Appeals for the First Circuit entered a judgment in which it ordered that the government's appeal of the Court's decision in this matter be voluntarily dismissed under Fed. R. App. 42(b).
4. On November 18, 2021, the Court in Vara held a status conference, after which the Court determined it will administratively close the Vara case. The Court in Vara requested that the Parties in the above-captioned case file a stipulation indicating that this case is dismissed as moot, while reserving the Commonwealth's right to reopen the case at any point between now and May 2, 2022 if the Commonwealth believes the order is not moot.
5. The Parties in the above-captioned case agree to dismissal of this case as moot, and the

Commonwealth requests that the Court grant the Commonwealth the right to reopen the above-captioned case at any point between now and June 2, 2022 if the Commonwealth believes the order is not moot. Education assents to this request.

Respectfully submitted,

FOR THE PLAINTIFF,
COMMONWEALTH OF MASSACHUSETTS,

MAURA HEALEY
ATTORNEY GENERAL

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FOR THE DEFENDANTS,
UNITED STATES DEPARTMENT OF
EDUCATION AND MIGUEL CARDONA,

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